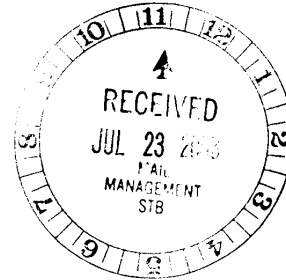




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Frank J. Reed, Jr.
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July 18, 2003

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K. Street, N.W.
Washington, D.C. 20423

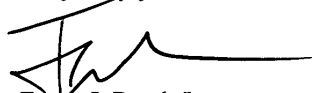
Re: Docket No. AB-55 (Sub-No. 361X), *CSX Transportation, Inc. – Abandonment Exemption – in Summit County, Ohio*

Dear Sir:

I am enclosing an original and ten (10) copies of the Request for Oral Argument on the Petition to Revoke CSX's Notice of Exemption from Abandonment Procedures Based Upon False and/or Misleading Information for filing in the above-referenced proceeding. An additional copy is enclosed for date stamp and return to our office. I have enclosed a self-addressed, stamped envelope for your convenience.

If you have any questions or need any additional information, please do not hesitate to contact me.

Very truly yours,


Frank J. Reed, Jr.

FJR:alb

Enclosures

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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

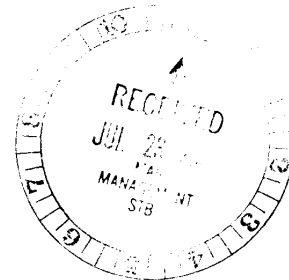
Docket No. AB-55 (Sub No. 631X)

**CSX TRANSPORTATION, INC. –
ABANDONMENT EXEMPTION –
IN SUMMIT COUNTY, OHIO**

REQUEST FOR ORAL ARGUMENT

ON

**APPLICANT'S PETITION TO REVOKE
CSX'S NOTICE OF EXEMPTION
FROM ABANDONMENT PROCEDURES
BASED UPON FALSE AND/OR
MISLEADING INFORMATION**



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Counsel for Petitioner Terminal Warehouse, Inc.

Dated: 07/18/03

Now comes Terminal Warehouse, Inc. ("Terminal Warehouse"), by and through the undersigned counsel, and submits this Motion for Oral Argument pursuant to 49 CFR 1116 regarding its petition to immediately revoke the Notice of Exemption filed with this Board on July 8, 2003.

The basis for this Motion for Oral Argument are that Terminal Warehouse anticipates that CSX will attempt to introduce factual evidence which is in conflict with the supporting information Terminal Warehouse submitted in support of its petition to revoke the exemption. Oral argument will provide the Board an opportunity to fully understand and weigh any conflicting evidence. Further, oral argument will provide an opportunity for the Board, in its discretion, to direct that additional information be filed if the significant adverse impact to Terminal Warehouse and other shippers of the proposed individual exemption cannot be ascertained from the information contained in the petition or accompanying submissions. See 49 CFR 1121.4(c)(1)(i).

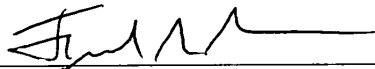
Petitions to revoke an exemption or the notice of exemption, like Terminal Warehouse's petition, may be filed at any time. 49 CFR 1121.4(f). The person seeking revocation has the burden of showing that the revocation criteria of 49 USC 10502(d) have been met. 49 CFR 1121.4(f).

On March 25, 2003, CSX Transportation, Inc. ("CSX") filed a Notice of Exemption and proposed to abandon the single remaining rail line which provides rail access to Terminal Warehouse and other shippers located in Akron, Summit County, Ohio. For the reasons stated in its petition to revoke the Notice of Exemption filed July 8, 2003, Terminal Warehouse submits that CSX's Notice of Exemption contained false and/or misleading information and otherwise failed to disclose critical facts to this Board. On this basis, and pursuant to 49 CFR

1152.50(d)(3), Petitioner submits that the notice of exemption should be summarily rejected by the Board on the basis that said notice was void *ab initio*. Moreover, under 49 U.S.C. 10502(d), Petitioner requests that the Board find that the continued existence of this line is necessary to carry out the rail transportation policy set forth in 49 U.S. 10101.

For all these reasons, Petitioner requests that the Board grant Petitioner's Request for a hearing on whether or not to immediately revoke the exemption.

Respectfully submitted,



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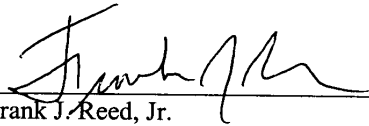
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served by ordinary
U.S. mail, postage prepaid, this 18th day of July, 2003, upon the following:

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Attorneys for Respondent


Frank J. Reed, Jr.